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Docket No. 1238 DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James F. McGuckin, et al

Serial No.: 10/706,685 Group Art Unit: 3764

Filed: November 12, 2003 Examiner: Unknown

For: **Vascular Device With Valve For Approximating Vessel Wall**

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Date of Deposit: 5/21/04

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 & copy of cited reference
- ☒ Return postcard

are being deposited with the United States Postal Service first class mail on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



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INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure under 37 C.F.R. §1.56, Applicants submit the enclosed references for the Examiner's consideration. It is respectfully requested that the reference(s) submitted with Form PTO-1449 be considered during Examination of the above-identified application and made of record therein. A copy of the reference(s) is/are enclosed. This submission is believed to be in compliance with 37 C.F.R. §1.97 and 37 C.F.R. §1.98. Copies of the reference(s) previously cited by or submitted to the Patent and Trademark Office in parent application Serial No. 10/011,345, filed December 5, 2001, (now U.S. Patent No. 6,676,698), are not provided herein pursuant to MPEP ~~Section 609~~:

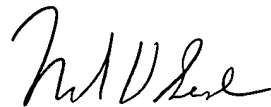
The citation of the listed item(s) is not a representation that it constitutes a complete or exhaustive listing of prior art or that it constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- () This information disclosure statement is being filed within three (3) months of the filing date of this application.
- () This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- (X) To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.
- () Enclosed is a certificate under 37 C.F.R. §1.97 (e)(i).
- () Enclosed is a petition under 37 C.F.R. §1.97 (d)
- () Please charge the petition fee of \$130.00 required under 37 C.F.R. §1.17 (i)(1) to Deposit Account No. 501567
- () As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. §1.17(p).
- () Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 501567.
- (X) Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 501567. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 501567 therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

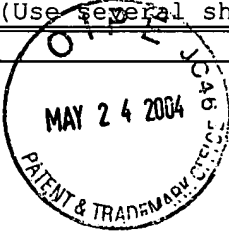
Early and favorable consideration of the case is respectfully requested.

Dated: 5/21/04



Neil D. Gershon
Registration No. 32,225
Attorney for the Applicants

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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 1238 DIV	SERIAL NO. 10/706,685
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		
	APPLICANT James F. McGuckin, Jr., et al	
	FILING DATE November 12, 2003	GROUP Art Unit: 3764

U.S. PATENT DOCUMENT

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 1 4 7 3 8 9	9/15/92	Lane			
	5 3 5 0 3 9 8	9/27/94	Pavenik, et al			
	5 3 5 8 5 1 8	10/25/94	Camilli			
	5 3 7 5 6 1 2	12/27/94	Cottenceau, et al			
	5 3 9 5 3 9 0	03/07/95	Simon, et al			
	5 3 9 7 3 5 1	3/14/95	Pavenik, et al			
	5 3 9 7 3 5 5	3/95	Marin			
	5 4 1 1 5 5 2	5/02/95	Anderson			
	5 4 4 3 5 0 0	08/1995	Sigwart			
	5 5 0 0 0 1 4	3/19/96	Quijano, et al			
	5 5 4 5 2 1 0	8/13/96	Hess, et al			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
1	9 8 5 7 8 8 7	7/08/00	Germany				
WO	0 1 2 8 4 5 9	4/26/01	PCT				
WO	9 7 4 0 7 5 5	11/6/97	PCT				
WO	9 8 1 9 6 2 9	5/14/98	PCT				
WO	9 9 5 6 6 5 5	11/11/99	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	5 5 6 2 7 2 8	10/96	Lazarus			
	5 5 9 1 1 9 7	1/7/97	Orth			
	5 5 9 3 4 1 7	1/14/97	Rhodes			
	5 6 0 9 5 9 8	3/11/97	Laufer			
	5 6 7 4 2 7 9	10/7/97	Wright			
	5 7 4 6 7 6 6	5/5/98	Edoga			
	5 7 9 2 1 5 5	8/11/98	Van Cleef			
	5 8 0 0 5 2 6	9/1/98	Anderson, et al			
	5 8 1 0 8 4 7	9/22/98	Laufer, et al			
	5 8 2 7 3 2 2	10/98	Williams			
	5 8 5 5 6 0 1	01/05/99	Bessler, et al			

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	5 8 8 5 2 5 8	3/23/99	Sachdeva, et al			
	5 9 0 2 3 1 7	5/11/99	Kleshinski, et al			
	5 9 5 7 9 4 9	9/28/99	Leonhardt, et al			
	6 0 0 4 3 4 7	12/99	McNamara, et al			
	6 0 0 4 3 4 8	12/99	Banas, et al			
	6 0 1 4 5 8 9	1/11/00	Farley, et al			
	6 0 2 7 5 2 5	02/2000	Suh, et al			
	6 0 3 3 3 9 8	3/7/2000	Farley, et al			
	6 0 3 6 6 8 7	3/14/200	Laufer, Et al			
	6 0 4 2 6 0 6	3/28/00	Frantzen			
	6 0 7 1 2 7 7	6/06/00	Farley, et al			

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	6 0 8 0 1 6 0	6/27/00	Chen, et al			
	6 0 8 6 6 1 0	7/11/00	Duerig, et al			
	6 1 2 9 7 5 8	10/10/00	Love			
	6 1 3 6 0 2 5	10/24/00	Barbut, et al			
	6 1 3 9 5 3 6	10/31/00	Mikus, et al			
	6 1 4 9 6 6 0	11/21/00	Laufer, et al			
	6 1 6 2 2 4 5	12/19/00	Jayaraman			
	6 1 7 9 8 7 8	1/30/01	Duerig, et al			
	6 2 0 0 3 3 6	3/13/01	Pavenik, et al			
	6 2 2 4 6 2 6	5/1/01	Steinke			
	6 2 3 1 5 6 1	5/15/01	Frazier, et al			

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		6 2 5 4 5 6 4	7/2001	Wik, et al			
		6 2 5 8 1 1 8	7/10/01	Baum, et al			
		6 2 8 7 3 3 9	9/11/01	Vazquez, et al			
		6 2 9 0 7 2 1	9/18/01	Heath			
		6 2 9 9 6 3 6	10/2001	Schmitt, et al			
		6 2 9 9 6 3 7	10/9/01	Shaolian, et al			
		6 4 2 5 9 1 5	7/2002	Khosravi, et al			
		6 5 0 3 2 7 2	1/2003	Duerig, et al			
		6 5 2 7 8 0 0	3/2003	McGuckin, et al			
		6 6 2 6 8 9 9	9/30/03	Houser, et al			
	2001	0 0 0 5 7 8 7	6/28/01	Oz, et al			

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